The State of Utah

Department of Natural Resources

Division of Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

Inspection Report

Representatives Present During the Inspection:	
OGM	Priscilla Burton Environmental Scientist III
Company	Patrick D. Collins Resident Agent

Permit Number:	**C0070012**
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, March 15, 2005
Start Date/Time:	3/15/2005 9:00:00 AM
End Date/Time:	3/15/2005 12:30:00 PM
Last Inspection:	Wednesday, February 23, 2005

Inspector: Priscilla Burton, Environmental Scientist III

Weather: sun 40's F.

InspectionID Report Number: 566

Accepted by: whedberg
3/29/2005

Permitee: **NEVADA ELECTRIC INVESTMENT CO**
Operator: **NEVADA ELECTRIC INVESTMENT CO**
Site: **WELLINGTON PREPARATION PLANT**
Address: **330 E 400 S STE 6, PO BOX 337 SPRINGVILLE UT 84663**
County: **CARBON**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

1,573.50	**Total Permitted**
392.00	**Total Disturbed**
	Phase I
	Phase II
	Phase III

Mineral Ownership

- ☐ **Federal**
- ☐ **State**
- ☐ **County**
- ☐ **Fee**
- ☐ **Other**

Types of Operations

- ☐ **Underground**
- ☐ **Surface**
- ☐ **Loadout**
- ☑ **Processing**
- ☐ **Reprocessing**

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The site has dried considerably. Road pond and Slurry Pipeline pond are dry. Riparian area has recovered from burn in August 2002. Predominant plants in the former burn area are canary reed grass, greasewood, rabbitbrush, saltgrass and Russian olive. Tower structures and concrete foundations have not been completely removed from the site. Seeding of the areas graded in the fall of 2004 must be completed before the next inspection (R645-301-354).

Inspector's Signature /S/ **Date** Monday, March 21, 2005

Priscilla Burton, Environmental Scientist III
Inspector ID Number: 37

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. *Substantiate the elements on this inspection by checking the appropriate performance standard.*
   a. *For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.*
   b. *For PARTIAL inspections check only the elements evaluated.*
2. *Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.*
3. *Reference any narratives written in conjunction with this inspection at the appropriate performace standard listed below.*
4. *Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.*

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	☐	☐	☐	☐
2. Signs and Markers	☐	☐	☐	☐
3. Topsoil	☑	☐	☑	☐
4.a Hydrologic Balance: Diversions	☐	☐	☐	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☑	☐	☑	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☑	☐	☑	☐
4.d Hydrologic Balance: Water Monitoring	☐	☐	☐	☐
4.e Hydrologic Balance: Effluent Limitations	☐	☐	☐	☐
5. Explosives	☐	☐	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☐	☐	☐	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☑	☐	☑	☐
8. Noncoal Waste	☑	☐	☑	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☑	☐	☑	☐
10. Slides and Other Damage	☐	☐	☐	☐
11. Contemporaneous Reclamation	☐	☐	☐	☐
12. Backfilling And Grading	☐	☐	☐	☐
13. Revegetation	☐	☐	☐	☐
14. Subsidence Control	☐	☐	☐	☐
15. Cessation of Operations	☐	☐	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☐	☐	☐	☐
16.b Roads: Drainage Controls	☐	☐	☐	☐
17. Other Transportation Facilities	☐	☐	☐	☐
18. Support Facilities, Utility Installations	☐	☐	☐	☐
19. AVS Check	☐	☐	☐	☐
20. Air Quality Permit	☐	☐	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☐	☐	☐	☐

3. Topsoil

Observed surface facilities topsoil stockpile. Gouges on the stockpile slopes have filled in with fine sediments. The combined new topsoil stockpile was seeded in 1999 with interim seed mix (Sec. 2.31 and Sec.5.4). This soil was salvaged in 1989 from the surface 15 cm of Map Unit 93 (Ravola Slickspots complex) by Genwal, prior to construction of the access road and screening complex (Sec. 2.22). Topsoil chemical characteristics are reported in Table 2-8. The combined stockpile holds approximately 3,000 cu yds of soil (Sec. 2.31). Dwg G9-3502 (Feb 1990) indicates that topsoil stockpile #3 formerly held 1,575 cu yds. As-Built Dwg 4067-6-18 dated Feb 1990 indicates Topsoil Stockpile #1 had 665.5 cu yds. As-Built Dwg 4067-9-19 (Feb 1990) indicates that topsoil stockpile #2 had 861 cu yds. Thus confirming the figure of 3,000 cu yds for the current volume of stockpile #3.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Observed the slurry pipeline sediment pond (dry). Tamarix are growing in the pond. Plants growing around the pond include Sueda torryana (seepweed) and Guittierez (snakeweed). These plants were heavily grazed. A cattle trail from the pasture below up to the sediment pond area was noted. Mr. Collins indicated he would work with the leasee to confine the cows to the pasture land along the Price River.

4.c Hydrologic Balance: Other Sediment Control Measures

Sediment control structures along the access road to the Slurry pipeline sediment pond are shown on Map F9-177 2 of 2. (This plate was missing from Mr. Collin's and the Division's Salt Lake P.I.C. copy of the MRP. The PFO copy was duplicated for both parties.) Straw bales along this roadway had been recently installed at some locations. At one location, straw bales were no longer being maintained, but a silt fence downstream provided sediment control instead. This change in sediment control does not appear on Map F9-177 Sheet 2 of 2. Sediment control at the former Covol plant (shown on Map F9-177 sheet 2 of 2) was removed last fall. Mr. Collins measured the perimeter of this site for the purposes of buying seed. The site is 3 acres in size. As discussed with Mr. Collins, the Covol area and the former pumphouse area will be seeded in the next month, in accordance with R645-301-354.

7. Coal Mine Waste, Refuse Piles, Impoundments

The coal handling facilities was first viewed from the slurry pipeline sediment pond knoll. From this distance, a white precipitate was visible on the surface. This precipitate may be a boron salt. The elevated boron content of the coal waste has been documented (AM99B Berm and Topsoil Stockpile Amendment (Task #885) approved, January 5, 2000). The 13,170 cu yd of coal discussed in this amendment has since been removed from the site (or placed on the coarse refuse pile). The approval indicates that the coarse refuse area will be reclaimed with four feet of cover and the coal prep area will be reclaimed with six inches of topsoil.

8. Noncoal Waste

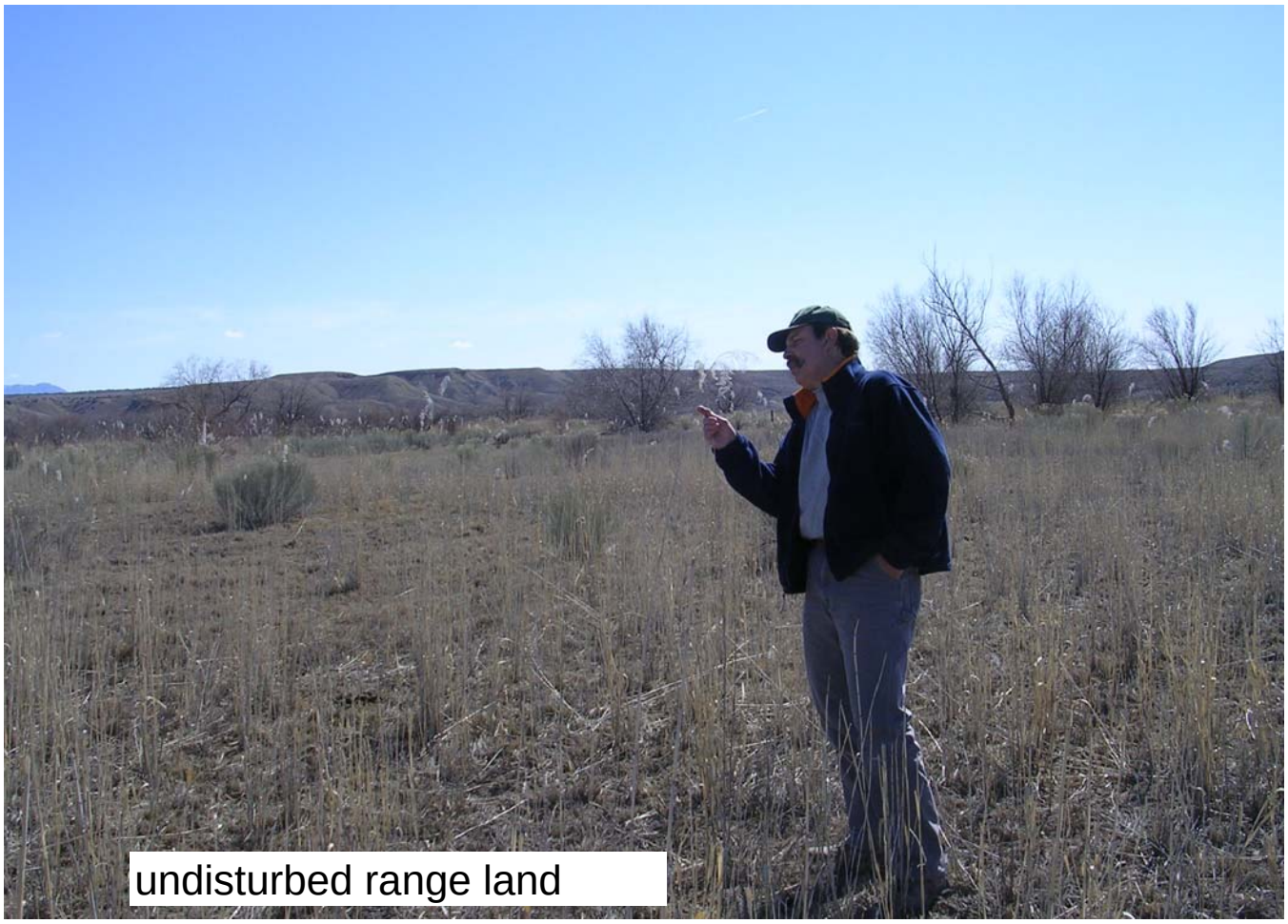
Reclamation of 11 pipeline support structures (75 ft apart) as described on pp. 6 - 10 of Section 5.40 was approved by the Division on Feb 28, 2002 AM02A Future Reclamation (Task #24). Structures were connected by horizontal cross beams that extended across the railroad tracks, bottomlands of the property and the Price River (Figures 5.40-1 and 5.40-2.) Structures were set in concrete footings at the surface. Approval of this activity indicated that reclamation would be conducted in winter when the ground was frozen, to protect in place topsoil; surface coal fines (where present) would be removed; and concrete would be removed to two feet below the surface. Disturbed areas would be reseeded with riparian mix in Sec 3.41 and also shown in Table 5.40-1. At the time of this inspection, several towers or parts of towers could be seen on the surface along with several 40 ft lengths of steel pipe. The concrete tower foundations were still in place. Mr. Collins explained that the contractor who was removing the structures did not return to complete the job after a fire was started by a welding torch in August 2002 during the work. This steel must be removed from the site, so that the reclamation work can be completed. See attached photos of structures.

9. Protection of Fish, Wildlife and Related Environmental Issues

The riparian area that was burned (during tower structure removal, August 2002) has recovered without any seeding by the Permittee. Predominant plants growing now in the former burn area are canary reed grass, greasewood, rabbitbrush, saltgrass and Russian olive. The area is immediately east of the railroad tracks within the permit area. A similar area to the north of the burned area has similar vegetation, except for a conspicuous absence of canary reed grass. The effects of prescribed burning on removing halogeton seed or stimulating desireable species and the application of this tool for reclamation of the Wellington site was discussed. See attached photos of re-growth.

undisturbed range land

re-growth on burned range land



undisturbed range land

re-growth on burned range land